

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 7

ALEXANDER BERNARD KASPAR,

Case No.: 22-10382-mg

Debtor.
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MARIANNE T. O'TOOLE, solely in her capacity
as Chapter 7 Trustee of the Estate of Alexander
Bernard Kaspar,

Adv. Pro. No.: 23-01154-mg

Plaintiff,

-against-

M. CABRERA & ASSOCIATES, P.C., MATTHEW
M. CABRERA, ESQ., ALEXANDER BERNARD
KASPAR, CITYGRACE CORP. a/k/a CITIGRACE
CORP, GRACE A. DELIBERO, a/k/a GRACE
ANGELA DELIBERO, JOHN DOE "1" THROUGH
"100", JANE DOE "1" THROUGH "100", JOHN
DOE CORPORATIONS "1" THROUGH "100" AND
OTHER JOHN DOE ENTITIES "1" THROUGH
"100"

Defendants.
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**STIPULATION AND ORDER EXTENDING TIME AND ADJOURNING INITIAL PRE-
TRIAL CONFERENCE AS TO DEFENDANTS M. CABRERA & ASSOCIATES, P.C.
AND MATTHEW M. CABRERA, ESQ.**

WHEREAS, on July 28, 2023, Marianne T. O'Toole, solely in her capacity as Chapter 7 Trustee of the Estate of Alexander Bernard Kaspar ("Plaintiff"), commenced the above captioned adversary proceeding by filing a complaint ("Complaint") against, among others, M. Cabrera & Associates, P.C. and Matthew M. Cabrera, Esq. (together, "Defendants");

WHEREAS, on July 31, 2023, the Clerk of the Court issued a Summons and Notice of Pre-Trial Conference ("Summons");

WHEREAS, on August 3, 2023, copies of the Summons and Complaint were duly served on

the Defendants;

WHEREAS, pursuant to the Summons, the deadline for Defendants to respond to the Complaint is currently August 30, 2023, and the initial pre-trial conference is scheduled for September 14, 2023 at 10:00 a.m.; and

WHEREAS, counsel to Defendants requested an extension of Defendants' time to respond to the Complaint and Plaintiff agreed to an extension to September 29, 2023.

NOW, THEREFORE, IT IS HEREBY stipulated and agreed between the undersigned as follows:

1. The time for Defendants to respond to the Complaint is extended from August 30, 2023 to September 29, 2023.

2. The initial pre-trial conference is adjourned from September 14, 2023 at 10:00 a.m. to October 17, 2023 at 4:30 p.m. The pre-trial conference will be conducted by Zoom for Government. Parties that wish to appear, whether by making a "live" or "listen only" appearance, must make an eCourt appearance by 4 P.M. on October 16, 2023.¹

3. The Defendants waive any defense of service of process of the Summons and Complaint in this adversary proceeding.

Dated: August 28, 2023
New York, New York

ABRAMS GARFINKEL MARGOLIS BERGSON, LLP
Counsel to Defendants M. Cabrera & Associates, P.C. and
Matthew M. Cabrera, Esq.

By: s/ Robert J. Bergson
Robert J. Bergson, Esq.
1430 Broadway, 17th Floor
New York, New York 10018
Telephone: (212) 201-1175

Dated: August 28, 2023
Wantagh, New York

LaMONICA HERBST & MANISCALCO, LLP
Counsel to Plaintiff Marianne T. O'Toole, as Trustee

By: s/ Holly R. Holecek
Holly R. Holecek, Esq.
A Partner of the Firm
3305 Jerusalem Avenue, Suite 201
Wantagh, New York 11793
Telephone: (516) 826-6500

IT IS SO ORDERED this ____ day of August 2023

Hon. Martin Glenn
Chief United States Bankruptcy Judge

1 See Chief Judge Glenn's chambers page on the Court website for information on how to make an eCourtAppearance and the link to do so: <https://www.nysb.uscourts.gov/content/chief-judge-martin-glenn>. There are two new tabs next to the Chamber's Rules, Calendars and Opinions tabs. The two tabs are "Zoom hearings" and "eCourtAppearances." Feel free to look at the "Zoom hearing" tab for more information about Zoom. Click on the eCourtAppearances tab to make your appearance for the hearing.